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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16
17 UNITED STATES OF AMERICA,) CASE NO. 3:15-CR-00359-TEH
18 Plaintiff,)
19 v.) **STIPULATION AND [PROPOSED ORDER]**
20 BRIAN PETER STALLINGS,) **FOR CONTINUANCE OF STATUS**
21 Defendant.) **CONFERENCE AND EXCLUSION OF TIME**
22

23 The United States of America and defendant, Brian Peter Stallings, stipulate that the status
24 conference in the above-captioned case scheduled for January 11, 2016, at 2:30 p.m., should be
25 continued to February 22, 2016, at 2:30 p.m. The basis for this request is that counsel for Defendant
needs additional time to review the now more than 10,000 pages of discovery produced by the United
States since Defendant's initial appearance.

26 The Parties agree that, based on the foregoing, that an exclusion of time from January 11, 2016,
27 through February 22, 2016, from the applicable time limits set forth in 18 U.S.C. § 3161 would allow
28 counsel for Defendant the reasonable time necessary for effective preparation of counsel and continuity
of counsel because it would allow additional time to review discovery. *See* 18 U.S.C. § 3161(h)(7). The
parties further agree that failure to exclude time as set forth above would deny Defendant the reasonable
time necessary for effective preparation and continuity of counsel and that the ends of justice served by
granting this request for exclusion of time outweigh the best interest of the public and the Defendant in a

1 speedy trial.

2 Accordingly, for the reasons stated above, the parties jointly request a continuance of the status
3 conference from January 11, 2016, to February 22, 2016, at 2:30 p.m., and the exclusion of time for this
4 period.

5 IT IS SO STIPULATED.

6
7 Dated: January 4, 2016

s/ Jose A. Olivera
JOSE A. OLIVERA
Assistant United States Attorney

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9
10 Dated: January 4, 2016

s/ Martin A. Schainbaum
MARTIN A. SCHAINBAUM
Attorney for Defendant

1 **[PROPOSED] ORDER**

2 For the reasons set forth in the above Stipulation, the Court hereby continues the status conference in
3 this case from January 11, 2016, to February 22, 2016, at 2:30 p.m. The Court further finds that the exclusion
4 of time from January 11, 2016, to February 22, 2016, is warranted and that the ends of justice served by the
5 continuance outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. §
6 3161(h)(7)(A). The failure to grant the requested continuance would deny the Defendant effective
7 preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

8 IT IS SO ORDERED.

9 Dated: 1/6/2016

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11 THE HONORABLE THELTON E. HENDERSON
12 United States District Judge